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Docket No. 211260US2SDIV/phh

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Hideo ANDO, et al.

SERIAL NO: 09/911,391

GAU: 2161

FILED: July 25, 2001

EXAMINER:

FOR: RECORDING, EDIT, AND PLAYBACK METHODS OF AUDIO INFORMATION, AND INFORMATION STORAGE MEDIUM

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicant(s) wish to disclose the following information.

REFERENCES

- The applicant(s) wish to make of record the references cited in the attached two Japanese Office Actions listed on the attached form PTO-1449. Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

RELATED CASES

- Attached is a list of applicant's pending application(s) or issued patent(s) which may be related to the present application. A copy of the patent(s), together with a copy of the claims and drawings of the pending application(s) is attached along with PTO 1449.
- A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

CERTIFICATION

- Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

DEPOSIT ACCOUNT

- Please charge any additional fees for the papers being filed herewith and for which no check or credit card payment is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

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SHEET 1 OF 1

Form PTO 1449 (Modified)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY DOCKET NO. 211260US2SDIV		SERIAL NO. 09/911,391	
LIST OF REFERENCES CITED BY APPLICANT				APPLICANT Hideo ANDO, et al.			
				FILING DATE July 25, 2001		GROUP 2161	
<b>U.S. PATENT DOCUMENTS</b>							
EXAMINER INITIAL		DOCUMENT & TRADEMARK OFFICE NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
	AL						
	AM						
	AN						
<b>FOREIGN PATENT DOCUMENTS</b>							
		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION		
	AO	2001-52467	02/23/2001	JAPAN	YES	NO	X
	AP	2000-611279	2000	JAPAN (submitting corr. WO 00/62295)			
	AQ	WO 00/62295	10/19/2000	WIPO (with English Abstract)			X
	AR	7-284064	10/27/1995	JAPAN			X
	AS	WO 95/16990	06/22/1995	WIPO (with English Abstract)			X
	AT						
	AU						
	AV						
<b>OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)</b>							
	AW						
	AX						
	AY						
	AZ	<input type="checkbox"/> Additional References sheet(s) attached					
Examiner		Date Considered					
<small>*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</small>							

FILED BY IDS  
4-23-04

(Translation)

Mailed: March 23, 2004

**NOTIFICATION OF REASONS FOR REJECTION**

Patent Application No.: 2001-280822

Examiner's Notice Date: March 12, 2004

Examiner: Akira Saito

This application is rejected on the grounds stated below. Any opinion about the rejection must be filed within 60 DAYS of the mailing date hereof.

**REASON**

The invention is unpatentable under section 29bis of the Patent Law on the grounds that the invention is considered the same as the invention described in the specification and the drawing(s) originally attached to the request of the following application, which was filed before, and disclosed after, the filing date of this application and that the inventor of the present application is not considered to be the inventor of the cited application, and at the time of the filing of this application, the applicant is not considered to be the applicant of the cited application.

**REMARKS**

Re: Claims 1-5

Reference 1 is applicable.

Paragraph [0098] and FIG. 22 of the KOKAI publication of the application of reference 1 describe recording, within a play list, a representative image information representing the play list using 1 byte in the format intended for real-time recording of audio data. Judging from the capacity, it is obvious to a person with ordinary skill in the art that it is a pointer. Hence, it is considered that reference 1 discloses the same inventions as those recited in claims 1-5.

Note that paragraphs [0127] to [0132] of the specification and FIG. 11 of

Japanese Patent Application No. 11-154995, which constitutes a basis for internal priority claim of the application of reference 1, too describe the contents of the claims of the present application although the expression differs from that used in the KOKAI publication of reference 1. Therefore, it is judged that the priority claim of reference 1 is valid for the part to which the features recited in the claims of the present application apply.

The claims not mentioned in this Official Action are not rejected. If a new reason for rejection is noticed, a further Official Action will be issued.

Reference Cited:

1. Japanese Patent Application No. 2000-161793 (Japanese Patent Application KOKAI Publication No. 2001-52467)



COPY

Dept.: IP-I  
By: MJS/phh

OSMM&N File No. 211260US2SDIV  
Serial No. 09/911,391

In the matter of the Application of: Hideo ANDO, et al.  
For: RECORDING, EDIT, AND PLAYBACK METHODS OF AUDIO  
INFORMATION, AND INFORMATION STORAGE MEDIUM

**Due Date: 05/03/2004**

The following has been received in the U.S. Patent Office on the date stamped hereon:

- Dep. Acct. Order Form
- Information Disclosure Statement       PTO-1449
- Cited References (4)
- JAPANESE Office Actions (2) (with English translations)

